

REMARKS

I. Introduction

Claims 1-28 are pending in the present application. In the Office Action dated March 12, 2008, the Examiner withdrew the rejection of claims 1-28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication US2003/0023536 A1 ("Hollerman et al.") and further in view of Forward-Start Options (Forward).

II. Rejection Under 35 U.S.C. §112

On page 2 of the Office Action, the Examiner rejected claims 1-28 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter Applicants regard as the invention. Specifically, the Examiner stated that "Applicant's claim does not provide a structure positively recited to place the recited data 'thereon'." (Office Action, page 3). Applicants have amended claims 1-28 herewith to positively recite a structure ("an exchange") to place the recited data thereon. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections under § 112 as to these claims.

III. Rejection Under 35 U.S.C. §101

In the Official Action, the Examiner has rejected claims 1-28 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In response, Applicants have amended claims 1-28 to positively recite steps of computer-implemented methods (as in claims 1-17) and for the purpose of clarity (as in claims 18-28). Applicants believe that amended claims 1-28 positively recite elements within the "process" category of patent eligible subject matter recited in 35 U.S.C. § 101. As the Examiner is likely well aware, the term "process" as defined in 35 U.S.C. §100, means process, art or method.

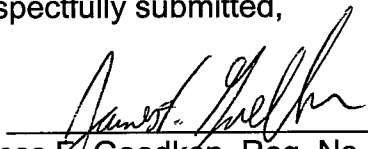
Thus, Applicants respectfully request reconsideration and withdrawal of the rejections under § 101 as to these claims.

IV. Conclusion

In view of the foregoing remarks, Applicants submit that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested, as is an early Notice of Allowance. If there are any questions concerning this Response, the Examiner is invited to contact one of the undersigned attorneys to discuss the matters in an effort to successfully complete the prosecution of this application.

Respectfully submitted,

Dated: June 12, 2008

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